

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Kerasha Campbell	Team: Team # 7	CCRB Case #: 200204896	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Sunday, 07/07/2002 1:30 AM	Location of Incident: 4111 Laconia Avenue - 47th Precinct	Precinct: 47	18 Mo. SOL 1/7/2004	EO SOL 1/7/2004	
Date/Time CV Reported Thu, 07/18/2002 5:42 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 07/23/2002 12:30 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. CPT Paul Deentremont	00000	892944	Patrol Borough Bronx

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Jason Pierri	18557	922972	047 PCT
2. POM Noel Rodriguez	09319	929069	047 PCT
3. LT Thomas Slattery	00000	910489	047 PCT
4. POM Joseph Turner	14058	926231	047 PCT
5. POM Ransford Wisdom	28837	907595	047 PCT

Officer(s)	Allegation	Investigator Recommendation
A.CPT Paul Deentremont	Force: Cpt. Paul Deentremont used physical force against § 87(2)(b) [REDACTED]	
B.CPT Paul Deentremont	Force: Cpt. Paul Deentremont used physical force against § 87(2)(b) [REDACTED]	

Synopsis

At approximately 1:00am on July 7, 2002, § 87(2)(b) and her daughter, § 87(2)(b) arrived at the 47th Precinct at 4111 Laconia Avenue in the Bronx to retrieve the property for her son, § 87(2)(b). After receiving his property, she exited the precinct and standing at the end of the ramp which leads into the parking lot for the supervisors' private cars, she made telephone calls to her relatives to purchase a calling card for her son. At this point, § 87(2)(b) was writing down the license plate numbers for Cpt. DeEntremont and another officer's private cars. Upon observing § 87(2)(b) the captain asked her to leave the parking lot, but she refused. Consequently, the captain took the notebook from § 87(2)(b) and brought her in the precinct to place her under arrest for § 87(2)(b). While inside the precinct, § 87(2)(b) demanded that Captain DeEntremont return her notebook. Due to her unruly attitude and actions, she was asked by the captain to leave the precinct. However, she refused and was subsequently placed under arrest with her daughter. § 87(2)(b) and her daughter alleged that when the officers were attempting to effect their arrests, the officers used excessive physical force against them.

§ 87(2)(g)

Summary of Complaint

§ 87(2)(b) who is a § 87(2)(b) old Black female and the mother of § 87(2)(b) old § 87(2)(b) was interviewed on August 1, 2002. At approximately 12:30am on July 7, 2002, § 87(2)(b) and § 87(2)(b) arrived at the 47th Precinct to retrieve her son, § 87(2)(b)'s property after learning that he was arrested for § 87(2)(b). At the precinct, she spoke to the arresting officer, PO Rodriguez, regarding the return of her son's property. While receiving his property, PO Rodriguez told her that her son requested that she purchase a calling card for him. At this time, § 87(2)(b) requested that the officers who arrested her son should write their names and shield numbers in her notebook. PO Rodriguez and Cpt. DeEntremont fulfilled her request. After obtaining the property, § 87(2)(b) and her daughter exited the precinct and stood at the end of the ramp leading into the parking lot. While § 87(2)(b) attempted to call someone to buy a telephone card for her son, § 87(2)(b) was at the end of the ramp writing down license plate numbers for the cars in the parking lot. Cpt. DeEntremont approached § 87(2)(b) and seized the notebook on which she wrote the license plate numbers.

At the entrance of the 47th Precinct, § 87(2)(b) asked the captain "give me my book, I need my book, I have important information in there that I need to give to my lawyer." However, Cpt. DeEntremont just continued inside the precinct. Both § 87(2)(b) and her daughter entered the precinct to tell the captain that she needed her book and asked "why did he have to take the book from her daughter, that is her property." Captain DeEntremont told § 87(2)(b) "get out of my precinct." "This is not your precinct," responded § 87(2)(b). "Get out of here," shouted Cpt. DeEntremont. "I want my book, I am not leaving without my book," said § 87(2)(b). Cpt. DeEntremont then grabbed § 87(2)(b) in her chest and told her "you are under arrest." After which, the captain turned § 87(2)(b) around in the direction of the desk while approximately five officers came and shoved her against the wooden area that partitions the desk area of this room to place handcuffs on her. Almost simultaneously, PO Rodriguez grabbed § 87(2)(b) with approximately two officers threw her against the wall, and placed her under arrest. While the officers attempted to place § 87(2)(b) in handcuffs, she yelled "mommy, mommy, let me go, let me go, I didn't do anything." § 87(2)(b) was charged with § 87(2)(b).

§ 87(2)(b), [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(b)]

§ 87(2)(g)

When § 87(2)(b) first approached Cpt. DeEntremont regarding her book, § 87(2)(b) stated that § 87(2)(b) stated in a pleasant tone "will you please give me my book because I have important information in there that I need to give to my lawyer." "Why is your daughter writing down my license plate number?" Cpt. DeEntremont asked of § 87(2)(b). "Officer can I please have my book," said § 87(2)(b). The captain shouted, "your daughter was writing down my license plate number." After both were placed in handcuffs § 87(2)(b) said that she complained that her handcuffs were too tight, but none of the officers loosen the handcuffs. § 87(2)(b)'s arrest documents were sealed.

Results of Investigation

PO Noel Rodriguez

Memo book entry for July 7, 2002

§ 87(2)(b) signed PO Rodriguez's memo book at 1:25am on July 7, 2002 after receiving her son's property.

PO Noel Rodriguez was interviewed as a subject officer in this case on October 2, 2002. On July 6, 2002, PO Rodriguez worked from 1735 until 0205hrs. At the beginning of his tour, he worked with PO Wisdom in sector CD and at 2335hrs was the Sergeant Operator. Before 1:00am on July 7, 2002, PO Rodriguez who at this time was the Sergeant Operator, arrested § 87(2)(b) who is § 87(2)(b)'s son, for § 87(2)(b) on East 228 Street in the Bronx. At approximately 1:00am PO Rodriguez and the Sergeant returned to the precinct with § 87(2)(b).

PO Rodriguez was the officer who returned § 87(2)(b)'s property to § 87(2)(b). He was also one of the officers who wrote down his name and shield number in § 87(2)(b)'s notebook. As it pertains to the arrest of § 87(2)(b) and § 87(2)(b), PO Rodriguez stated that he did not participate in effecting their arrest because at the time he was processing § 87(2)(b)'s arrest in the 47th Precinct holding cell. However, while at the back of the precinct, he heard the desk officer and females shouting. "Get her out of the parking lot, because your daughter is not supposed to be there," exclaimed the desk officer. "Get out of here, she has got to leave, get her out of here," continued the officer. However, PO Rodriguez could not hear what the females were saying, but recognized that the desk officer and the females were not having a normal conversation since he was able to hear their voices from the back of the precinct. § 87(2)(b) refused to leave the precinct and the desk officer ordered the officers in the vicinity to place them in handcuffs. PO Rodriguez, the officer who operated the telephone switch board, the desk officer and another officer gave § 87(2)(b) their names and shield numbers when she requested that she needed their information to file a complaint. PO Rodriguez did not know which officers placed § 87(2)(b) and § 87(2)(b) in handcuffs.

PO Jason Pierri

Memo book entry for July 7, 2002

At 2:05am on July 7, 2002, PO Pierri received overtime and at 2:30am indicated that two individuals were arrested at the precinct for entering the parking lot. He began processing the arrests at 2:30am.

PO Jason Pierri was interviewed as a subject officer in this case on October 10, 2002. On July 6, 2002, PO Pierri worked from 5:30pm until 2:00am with Sgt. Melendez and PO Roman. When he ended his tour at 2:00am on July 7, 2002, he was offered two hours of over time which he took. While he waited for his assignment in the desk area, he saw two females talking loudly with the desk officer. PO Pierri knew that § 87(2)(b) was arguing over the arrest of her son, however, did not hear the content of the argument because he was awaiting his assignment and was not paying attention to their discussion. He then exited the precinct and entered the precinct parking lot in an attempt to find an RMP. Approximately 25 feet away he saw two lieutenants talking with § 87(2)(b) and § 87(2)(b). PO Pierri did not recall the names of the lieutenants. From this distance, PO Pierri could not decipher if the lieutenants or § 87(2)(b) and § 87(2)(b) were engaging in an argument. Only police vehicles are allowed to park in this parking lot. The lieutenants entered the precinct with § 87(2)(b) and § 87(2)(b) while PO Pierri continued to search for an RMP. After he found the RMP, he entered the precinct through the entrance at the back. PO Pierri did not remember how long it took him to find an RMP. As he came in, he went into the desk area where he saw the desk officer, whose name PO Pierri did not remember, as well as § 87(2)(b) and § 87(2)(b) both in handcuffs. PO Pierri did not take notice of whether there were other officers in the surrounding area of the desk. The desk officer told PO Pierri that since he is doing overtime, he would handle the arrest processing of both § 87(2)(b) and § 87(2)(b).

PO Pierri was told by the desk officer that § 87(2)(b) and § 87(2)(b) were in the parking lot where they were not supposed to be, writing down the license plate number of the private cars. § 87(2)(b) and § 87(2)(b) were told to leave the parking lot and they refused. This parking lot is exclusive to police vehicles. PO Pierri placed § 87(2)(b) into the cell and placed § 87(2)(b) into the juvenile room. Several officers stayed with § 87(2)(b) while PO Pierri processed her arrest as well as § 87(2)(b)'s arrest. The desk officer told PO Pierri to charge § 87(2)(b) and § 87(2)(b) with § 87(2)(b). § 87(2)(b) was also charged with

§ 87(2)(b) because during the search of § 87(2)(b)'s property incident to her arrest, PO Pierri found two knives in § 87(2)(b)'s purse.

Lt. Thomas Slattery

On January 15, 2003, Lt. Thomas Slattery was interviewed as a subject officer in this case. Lt. Slattery worked as the desk officer on July 6, 2002 from 2300-0725hrs on July 7, 2002. Earlier on during his tour, while behind the desk, he heard a female who was upset over the arrest of her relative in the waiting area yelling. She was not the only one in the waiting area. However, she as well as the others left. A bit after they left the waiting area, § 87(2)(b) and her daughter § 87(2)(b) were brought in handcuffs into the desk area by one of the special operations lieutenants. Lt. Slattery identified this lieutenant as Lt. DeEntremont and further stated that he transported both § 87(2)(b) and her daughter to the desk area after he arrested both outside of the station house for writing down the license plate number for the supervisors' personal vehicles in the parking lot restricted to only officers. This parking lot has a 6 feet wall around it and is accessible only through the driveway. There is also a sign that designates this parking lot for authorized personnel only. PO Pierri was the officer who processed the arrest for both § 87(2)(b) and § 87(2)(b). Lt. Slattery did not participate in placing § 87(2)(b) or § 87(2)(b) in handcuffs. He only witnessed PO Pierri processing the arrest for both and logged § 87(2)(b)'s arrest into the command log after he received her information from PO Pierri.

PO Joseph Turner

Memo book entry for July 7, 2002

PO Turner was the telephone switchboard operator and at 2:30am he took meal at the precinct.

On January 17, 2003, PO Turner was interviewed as a subject officer in this case. PO Turner worked on July 6, 2002 from 2315hrs until 0750hrs on July 7, 2002 as the telephone switchboard operator. The desk for the telephone switchboard operator is closer to the entrance of the precinct, but a few feet to the right of the desk.

PO Turner saw Lt. DeEntremont explaining to § 87(2)(b) the circumstances surrounding her son's arrest. Although PO Turner was a couple of feet from them, he did not remember what was exactly stated between the two. However, after the conversation, § 87(2)(b) left the precinct upset. At this time, PO Turner remembered PO Pierri as one of the additional officers who were near the desk area of the precinct.

§ 87(2)(b) returned inside the precinct with her daughter and was hostile and disorderly, but PO Turner did not recall her actions specifically. PO Turner stated that Lt. DeEntremont ordered PO Pierri to effect the arrest of § 87(2)(b) as well as § 87(2)(b) for trespassing, but more than one other officer assisted in effecting their arrest. As more than one officers attempted to effect § 87(2)(b)'s arrest, she resisted. PO Turner explained that § 87(2)(b) was flailing her hands, which consisted of moving her hands in an upward and downward motion. More than one officer had to force her hands behind her. PO Turner did not recall if Lt. DeEntremont placed handcuffs on § 87(2)(b). § 87(2)(b) was arrested first and then § 87(2)(b) was arrested immediately after. He did not recall if it were the same officers who effected the arrest for both. PO Turner did not see any of the officers push or shove § 87(2)(b) against any wall or wooden compartment in the desk area of the precinct. Besides PO Pierri, PO Turner did not recall the names of the other officers who assisted in placing handcuffs on § 87(2)(b) and § 87(2)(b). He further did not participate in effecting the arrest of either § 87(2)(b) or § 87(2)(b). The incident was visible from the desk area and the location of the switch board desk. § 87(2)(b) and § 87(2)(b) were arrested a few feet from the desk and the switch board desk.

PO Ransford Wisdom

Memo book entry for July 7, 2002

According to PO Wisdom's memo book entry, he ended his tour at 2350hrs on July 7, 2002.

On January 21, 2003, PO Wisdom was interviewed as a subject in this CCRB case. He worked with PO Rodriguez on July 6, 2002 from 1600hrs until 2350hrs, patrolling sectors CD. PO Wisdom did not work overtime and after he ended his tour at 2350hrs, he gather his things and left for home. He was not at the precinct between the hours of 12:30am and 2:00am. While at the precinct, he did not participate in effecting the arrest of anyone and further did not see any officers effecting the arrest of any females near the desk area.

Cpt. Paul DeEntremont

Cpt. DeEntremont was interviewed as a subject officer in this case on March 10, 2003. On July 7, 2002, Captain DeEntremont was assigned to the 47th Precinct as a Lieutenant. Captain DeEntremont, who at the time of the incident was a Lieutenant, worked with Lt. O'Sullivan, both dressed in plain clothes, on July 6, 2002 from 1600hrs until 2359hrs assigned to special projects.

During their tour, early in the evening, both arrested § 87(2)(b) for § 87(2)(b). While at the precinct during the arrest processing of § 87(2)(b) Cpt. DeEntremont encountered § 87(2)(b) and her daughter, § 87(2)(b) in the reception area of the 47th Precinct. § 87(2)(b) was inquiring about her son's arrest and requesting that his property be turned over to her. Cpt. DeEntremont introduced himself to § 87(2)(b) and explained the charges against her son. After discovering that § 87(2)(b) was § 87(2)(b)'s son, the captain remembered that he had seen § 87(2)(b) at § 87(2)(b)'s residence months before at the execution of a search warrant. Cpt. DeEntremont spoke with the arresting officer and § 87(2)(b) regarding the property to be returned to § 87(2)(b). He arranged with the arresting officer to give § 87(2)(b) her son's property. Before leaving the precinct, since at this time it was the end of his tour, Cpt. DeEntremont asked § 87(2)(b) if she received her son's property and she replied that she did. However, he never confirmed this with the arresting officer. At this time, § 87(2)(b) was still in the reception area of the precinct, but the captain did not recall where her daughter was at this time.

When Cpt. DeEntremont exited the precinct, he entered the parking lot that is adjacent to the precinct and that only has the supervisors parked personal vehicles. This parking lot is restricted to only authorized personnel and is surrounded by a brick wall about 6 feet tall. The ramp that is in front of the precinct leads into the parking lot area. As the captain placed his vehicle in reverse, he noticed in his rearview mirror that § 87(2)(b) was writing on a notepad in the parking lot by the ramp. He exited his car and approached § 87(2)(b) directing her to leave the parking lot because only authorized personnel are permitted to enter. She refused and the captain went and re-parked his car. He then approached § 87(2)(b) who remained in the parking lot and transported her without handcuffs inside the precinct. Cpt. DeEntremont explained that he held § 87(2)(b) by the arm while they walked inside the precinct. During her transport inside the precinct, Captain DeEntremont took the notepad from her.

Before § 87(2)(b) was placed in front of the desk, Cpt. DeEntremont had walked past § 87(2)(b) who began inquiring why he was arresting her daughter, but the captain explained that he would be with her in a second. It was during this time that Captain DeEntremont looked at the notepad and discovered that § 87(2)(b) while in the parking lot was writing down the license plate numbers for his personal vehicle as well as for another lieutenant. At this time, § 87(2)(b) continued to inquire loudly about the arrest of her daughter. § 87(2)(b) was placed in front of the desk, at which point, Cpt. DeEntremont instructed an officer to place her in handcuffs while he continued to hold her arm. During this time, § 87(2)(b) continued to act in a raucous manner. Cpt. DeEntremont requested that she gives him a minute to take care of her daughter and then he would explain everything to her. However, § 87(2)(b) continued to inquire loudly about her daughter. The captain then instructed § 87(2)(b) to leave the station house because she was acting disorderly in a place of business. § 87(2)(b) refused to leave the precinct. In addition to instructing her a second time, the captain told her that she would be subject to arrest if she did not leave. § 87(2)(b) continued to defy the captain's order and refused to leave. At this point, the captain ordered some officers to place her under arrest for § 87(2)(b) within the precinct.

Captain DeEntremont did not see any of the officers who effected § 87(2)(b)'s arrest, shove, pushed or hit § 87(2)(b). While Captain DeEntremont attempted with another officer to place § 87(2)(b) in handcuffs, § 87(2)(b) had her hands in a restrained position at her side preventing the officers from placing her hands behind her. Captain DeEntremont as well as the other officer had to forcibly place § 87(2)(b)'s arms behind her back. Both § 87(2)(b) and § 87(2)(b) were placed in front of the desk after they were placed in handcuffs. Captain DeEntremont did not recall how many officers assisted in effecting the arrest of both. He further did not recall the names of the officers who assisted in arresting § 87(2)(b) and § 87(2)(b). Cpt. DeEntremont was unclear as to whether it was § 87(2)(b) or § 87(2)(b) who was the first to be arrested. Both were arrested within seconds.

A notification to the intelligence division was made by Captain DeEntremont to generate a log number that § 87(2)(b) had the license plate number for his personal vehicle as well as for another officer. Captain DeEntremont did not recall the log number. Captain DeEntremont instructed the arresting officer for both § 87(2)(b) and her daughter of the charges and then left the precinct. At no point did they make

any complaints regarding the handcuffs being too tight in his presence. Captain DeEntremont did not see any of the officers use excessive physical force against § 87(2)(b) and § 87(2)(b). He did not partake in handcuffing § 87(2)(b). He further did not recall if § 87(2)(b) was physically resisting; however, he recalled that she was upset and continued to make a scene.

47th Precinct Roll Call

This document illustrates that Lt. Slattery was the desk officer for Tour 1 on July 7, 2002 and PO Turner was the operator for the telephone switchboard.

47th Precinct Command Log Entry

The command log entry for July 7, 2002 indicates that § 87(2)(b) and § 87(2)(b) were arrested at 2:10am at the precinct. It also indicates that Lt. DeEntremont, who is now a captain, ended his tour at 1:40am.

Property vouchered for § 87(2)(b)

Two knives and \$135 were the only property vouchered for § 87(2)(b). There is no indication that the notebook taken from § 87(2)(b) was vouchered.

Conclusions and Recommendations

Credibility analysis of § 87(2)(b)

§ 87(2)(g)
[REDACTED]

Credibility analysis of § 87(2)(b)

§ 87(2)(g)
[REDACTED]

Credibility analysis of Cpt. DeEntremont

§ 87(2)(g)
[REDACTED]

Credibility analysis of officers

§ 87(2)(g)
[REDACTED]

The following facts of this case are not in dispute. § 87(2)(b) and her daughter were standing at the end of the ramp which leads into the parking lot for the supervisors' private vehicles restricted to authorized personnel. § 87(2)(b) wrote down Cpt. DeEntremont's license plate number for his private car. § 87(2)(b) was instructed to leave the precinct because she was being disorderly, but she refused to do so and continued to defy the captain's order. Captain DeEntremont grabbed § 87(2)(b), pushed her against the wooden area of the desk, and in an effort to successfully restrain her, ordered officers to assist in

placing her in handcuffs. While Captain DeEntremont attempted to handcuff § 87(2)(b) she resisted as well, and officers had to assist Captain DeEntremont in effecting her arrest. Both § 87(2)(b) and her daughter resisted being placed in handcuffs and physical force was used to effect their arrests. It is also necessary to note that Captain DeEntremont seized the notebook from § 87(2)(b) when he determined that she was under arrest for § 87(2)(b) § 87(2)(g)

Allegation A: Force: Cpt. DeEntremont used physical force against § 87(2)(b)

Allegation B: Force: Cpt. DeEntremont used physical force against § 87(2)(b)

Admittedly, § 87(2)(b) was upset that Cpt. DeEntremont seized her property, which was in her daughter's possession and refused to leave the precinct when instructed by the captain to do so. § 87(2)(g)

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: